

reviewed the parties' submissions and the R&R under the appropriate de novo standard, and agrees with Magistrate Judge Arleo's analysis and conclusion. Therefore,

IT IS, on this 5th day of March, 2010,

ORDERED that Magistrate Judge Arleo's R&R (Docket Entry No. 17) is adopted as the opinion of the Court; and it is further

ORDERED that Plaintiff's motion to remand (Docket Entry No. 9) is DENIED; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.

S/Joseph A. Greenaway, Jr.
JOSEPH A. GREENAWAY, JR., U.S.C.J.
(Sitting by designation on the District Court)